

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DEMAR RHOME,

Case No. C08-0691-JCC-JPD

Petitioner,

## ORDER OF DISMISSAL

V.

JEFF UTTECHT,

## Respondent.

The Court, after careful consideration of Petitioner's 28 U.S.C. § 2254 petition for writ of habeas corpus, the Report and Recommendation of the Honorable James P. Donohue, Petitioner's objection, the governing authorities and the balance of the record, does hereby find and ORDER:

- (1) Petitioner's objection (Dkt. No. 36) is OVERRULED.
- (2) The Court adopts the Report and Recommendation.
- (3) Respondent's motion to dismiss (Dkt. No. 30) is GRANTED and this case is DISMISSED with prejudice.
- (4) Petitioner's various other motions, specifically: motion for court to grant appearance at competency trial (Dkt. No. 27-1); motion for competency evaluation (Dkt. No. 27-2); motion for evidentiary hearing (Dkt. No. 27-3); motion to be transported to federal jail or prison (Dkt. No. 27-4); motion for

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1 court not to dismiss § 2254 habeas petition (Dkt. No. 28-1); motion for  
2 appointment of counsel (Dkt. No. 28-2); motion to grant 180-day competency  
3 evaluation (Dkt. No. 28-4); motion for transfer to Western State Hospital (Dkt.  
4 No. 33); motion for evidentiary hearing (Dkt. No. 33-2); and motion to bar  
5 dismissal of habeas corpus petition (Dkt. No. 33-3), are DENIED as moot.

6 (5) The Clerk is directed to send copies of this Order to all counsel of record and to  
7 Judge Donohue.

8 DATED this 5th day of March, 2009.

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13 John C. Coughenour  
14 UNITED STATES DISTRICT JUDGE  
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